

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TAJAI CALIP,
Plaintiff,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT, et al.,
Defendants.

Case No. 15-cv-00877-KAW

ORDER DENYING APPLICATION TO
PROCEED IN FORMA PAUPERIS
WITHOUT PREJUDICE; ORDER
DISMISSING COMPLAINT WITH LEAVE
TO AMEND

Re: Dkt. Nos. 1 & 2

The Court has received Plaintiff Tajai Calip's complaint and application to proceed *in forma pauperis* (IFP), both filed on February 26, 2015. The Court may authorize a plaintiff to file an action in federal court without prepayment of fees or security if the plaintiff submits an affidavit showing that he or she is unable to pay such fees or give security therefor. 28 U.S.C. § 1915(a). The *in forma pauperis* statute also provides that the Court shall dismiss the case if at any time the Court determines that the allegation of poverty is untrue, or that the action (1) is frivolous or malicious, (2) fails to state a claim on which relief may be granted; or (3) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

Plaintiff's IFP application, however, is incomplete as filed, as she has not fully answered question numbers 1 and 7. Specifically, Plaintiff must provide her last date of employment and her current bank account balance. Plaintiff may resubmit an amended IFP application that is completed in full by **March 31, 2015** or pay the filing fee.

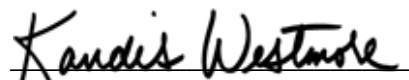
While Plaintiff appears to allege that she was wrongfully terminated from her position as a paraprofessional at Oakland Unified School District on the basis of her gender, in violation of Title VII, she does not provide any details of the events that led to her termination. Additionally, Plaintiff's termination occurred on January 20, 2010, which was more than four years prior to the

1 filing of this action, and is, therefore, likely barred by the statute of limitations. (*See* Compl., Dkt.
2 No. 1 ¶ 8.) Lastly, Plaintiff does not allege that she exhausted her administrative remedies prior to
3 filing this lawsuit. Thus, Plaintiff has failed to set forth “a short and plain statement of the claim
4 showing that the pleader is entitled to relief” as required by Rule 8 of the Federal Rules of Civil
5 Procedure. Accordingly, pursuant to its authority under 28 U.S.C. § 1915(e)(2), the Court hereby
6 dismisses Plaintiff’s complaint with leave to amend. Plaintiff shall file an amended complaint no
7 later than **March 31, 2015**. Failure to timely file a first amended complaint may result in the case
8 being dismissed with prejudice.

9 To aid in her compliance with this order, Plaintiff may wish to consult a manual the court
10 has adopted to assist pro se litigants in presenting their case. This manual, and other free
11 information, is available online at: <http://cand.uscourts.gov/proselitigants>. Plaintiff may also
12 contact the Federal Pro Bono Project’s Help Desk—a free service for pro se litigants— by calling
13 (415) 782-8982 to make an appointment to have any remaining questions answered.

14 IT IS SO ORDERED.

15 Dated: March 3, 2015

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17 KANDIS A. WESTMORE
18 United States Magistrate Judge
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